

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
First Regular Session  
2009

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

CHAPTER 78

# HOUSE BILL 2265

AN ACT

AMENDING SECTION 36-884, ARIZONA REVISED STATUTES; RELATING TO CHILD CARE PROGRAMS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-884, Arizona Revised Statutes, is amended to  
3 read:

4 36-884. Exemptions

5 This article does not apply to the care given to children by or in:

6 1. The homes of parents or blood relatives.

7 2. A religious institution conducting a nursery in conjunction with  
8 its religious services or conducting parent-supervised occasional drop-in  
9 care.

10 3. A unit of the public school system, including specialized  
11 professional services provided by school districts for the sole purpose of  
12 meeting mandated requirements to address the physical and mental impairments  
13 prescribed in section 15-771. If a public school provides child care other  
14 than during the school's regular hours or for children who are not regularly  
15 enrolled in kindergarten programs or grades one through twelve, that portion  
16 of the school that provides child care is subject to standards of care  
17 prescribed pursuant to section 36-883.04.

18 4. A regularly organized private school engaged in an educational  
19 program which may be attended in substitution for public school pursuant to  
20 section 15-802. If the school provides child care beyond regular public  
21 school hours or for children who are not regularly enrolled in kindergarten  
22 programs or grades one through twelve, that portion of the school providing  
23 such care shall be considered a child care facility and is subject to the  
24 provisions of this article.

25 5. Any facility that provides training only in specific subjects,  
26 including dancing, drama, music, self-defense or religion and tutoring  
27 provided by public schools solely to improve school performance.

28 6. Any facility that provides only recreational or instructional  
29 activities to school age children who may ~~come to and go~~ ENTER AND DEPART  
30 from the ~~child-care~~ facility at their own volition. THE FACILITY MAY REQUIRE  
31 THE CHILDREN TO DOCUMENT THEIR ENTRANCE AND DEPARTURE FROM THE FACILITY AND  
32 THIS DOCUMENTATION DOES NOT AFFECT THE EXEMPTION UNDER THIS PARAGRAPH. THE  
33 FACILITY SHALL POST A NOTICE STATING IT IS NOT A LICENSED CHILD CARE FACILITY  
34 UNDER SECTION 36-882.

35 7. Any of the Arizona state schools for the deaf and the blind.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 10, 2009.

